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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,314	12/07/2001	Amit Baruch	P-3782-US	7924
27130	7590	07/21/2005		
EITAN, PEARL, LATZER & COHEN ZEDEK LLP 10 ROCKEFELLER PLAZA, SUITE 1001 NEW YORK, NY 10020			EXAMINER ALBERTALLI, BRIAN LOUIS	
			ART UNIT 2655	PAPER NUMBER
DATE MAILED: 07/21/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,314

Applicant(s)

BARUCH ET AL.

Examiner

Brian L. Albertalli

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendments to the claims have been entered. Claims 1-19 are currently cancelled and new claims 20-32 have been added.

Claim Objections

2. Claim 18 has been cancelled, thus the objection to claim 18 from the previous Office Action is considered moot.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As currently worded, claim 22 states that the telephone comprises a landline phone, portable telephone, cellular telephone, etc. A telephone cannot be all of these different types of telephones simultaneously, and thus cannot "comprise" each of the different types of telephones as listed in the claim.

For the purposes examination, claim 22 has been interpreted herein as reading, "wherein said telephone is a telephone selected from the group consisting of..."

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made..

6. Claims 20-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stammli et al. (U.S. Patent 6,839,670), in view of Brown et al. (U.S. Patent 6,377,922).

In regard to claims 20, 27, 28, and 29, Stammli et al. disclose a device (Fig. 2) and cellular telephone (a car phone is necessarily a cellular telephone, column 12, lines 38-40) comprising:

a feature command speech recognition unit to perform recognition of a user command requesting a feature of said device (speaker independent recognizer recognizes the user's request of a function, column 12, lines 48-53 and column 13, lines 22-34);

at least two speech recognition engines, one of which is specific to one feature of the device to perform recognition on a voice input (when the user selects the "name selection" function, a switch to the speaker-dependent recognizer is made to recognize the name, column 13, lines 47-51); and

a control unit to activate at least one of said at least two speech recognition engines in accordance with the output of said feature command speech recognition unit (the "name selection" function switches control to the speaker-dependent recognizer, column 13, lines 47-51) and to operate said feature of said device using recognition

results from said selected feature-specific speech recognition engine whenever user input is required (the speaker-dependent recognizer is used to recognize the input of a name and the results are used to dial a telephone number associated with that name, column 13, lines 52-67 and Fig. 9).

Furthermore, in regard to claims 27 and 29, Stammler et al. disclose the functions that are available to the device comprise:

- speaker independent commands and control (column 12, lines 45-47);
- speaker dependent name dialing (column 13, lines 47-51);
- speaker independent digit dialing (column 14, lines 2-6);
- speaker independent-multilingual digit dialing (column 20, lines 64-67).

Stammler et al. do not disclose that each and every function that is available to the device is associated with a separate speech recognition engine that is specific to that function (speaker-independent recognizer is used to recognize the user's request of a function, as well as number dialing, see column 14, lines 2-6 and Fig. 10).

Brown et al. disclose a plurality of speech recognition engines (Fig. 1, 105-107) and disclose that different speech recognition engines have different capabilities and provide varying degrees of reliability under different circumstances (column 3, lines 25-31). Further, Brown et al. disclose that using multiple speech recognition engines that are each assigned to recognize a particular type of spoken utterance increases the accuracy of recognition results and allows recognition to proceed more quickly and with less disruption to the user (column 6, lines 29-36).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Stammler et al. to include a separate speech recognition engine for each available function in the device, in order to increase the accuracy of recognition results and allow recognition to proceed more quickly and with less disruption to the user, as taught by Brown et al. (column 6, lines 29-36).

In regard to claim 21, Stammler et al. disclose the device is a telephone (column 12, lines 38-40), computer (workstation, column 12, lines 40-44), a car accessory (the telephone is a car phone, and the device can be used as a car navigation device, column 12, lines 38-44), an audio device (a telephone is an "audio device"), and a voice controlled appliance (any device with speech recognition capabilities is a "voice controlled appliance").

In regard to claim 22, Stammler et al. disclose the telephone is a portable telephone and a cellular telephone (a car telephone is necessarily portable and must necessarily be a cellular telephone, column 12, lines 38-40).

In regard to claims 23 and 31, Stammler et al. disclose a loader to load and unload said speech recognition devices independently of each other (the loading of the speaker dependent speech recognizer depends only on the function selected by the user, and not the loading of the speaker independent speech recognizer, column 13, lines 47-51 and Fig. 9).

In regard to claim 24, Stammlier et al. disclose the feature commands are a function of the type of device which said device is (for example, if the device is a telephone the dialing of a telephone number would be a function, and for a radio, the selection of a station frequency would be a function column 12, lines 48-53).

In regard to claims 25 and 32, Stammlier et al. disclose said feature commands are CALL (name selection for dialing) and DIAL (number dialing, Fig. 8 and column 13, lines 25-34).

In regard to claims 26 and 30, Stammlier et al. do not disclose a feature is associated with at least two speech recognition engines and said control unit activates said at least two speech recognition engines in parallel.

Brown et al. disclose recognizing a command with two speech recognition engines in parallel (column 5, lines 54-67).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Stammlier et al. to recognize [↑]associate a feature with at least two recognition engines and activate at least two recognition engines in parallel, in order to allow speech recognition to proceed more quickly and accurately, with less disruption to the user, as taught by Brown et al. (column 6, lines 29-36).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

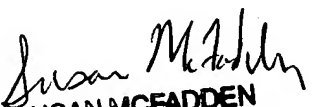
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BLA 7/18/05


SUSAN MCFADDEN
PRIMARY EXAMINER